

**UNITED STATES
DEPARTMENT OF LABOR
MINE SAFETY AND HEALTH ADMINISTRATION**

**COAL MINE SAFETY AND HEALTH
REPORT OF INVESTIGATION**

Underground Mine

**Fatal Powered Haulage Accident
January 30, 2003**

**Mine #10
AEP Kentucky Coal, L.L.C.
Dorton, Pike County, Kentucky
ID No. 15-07763**

Accident Investigators

**Bennett Hylton
Coal Mine Safety and Health Inspector**

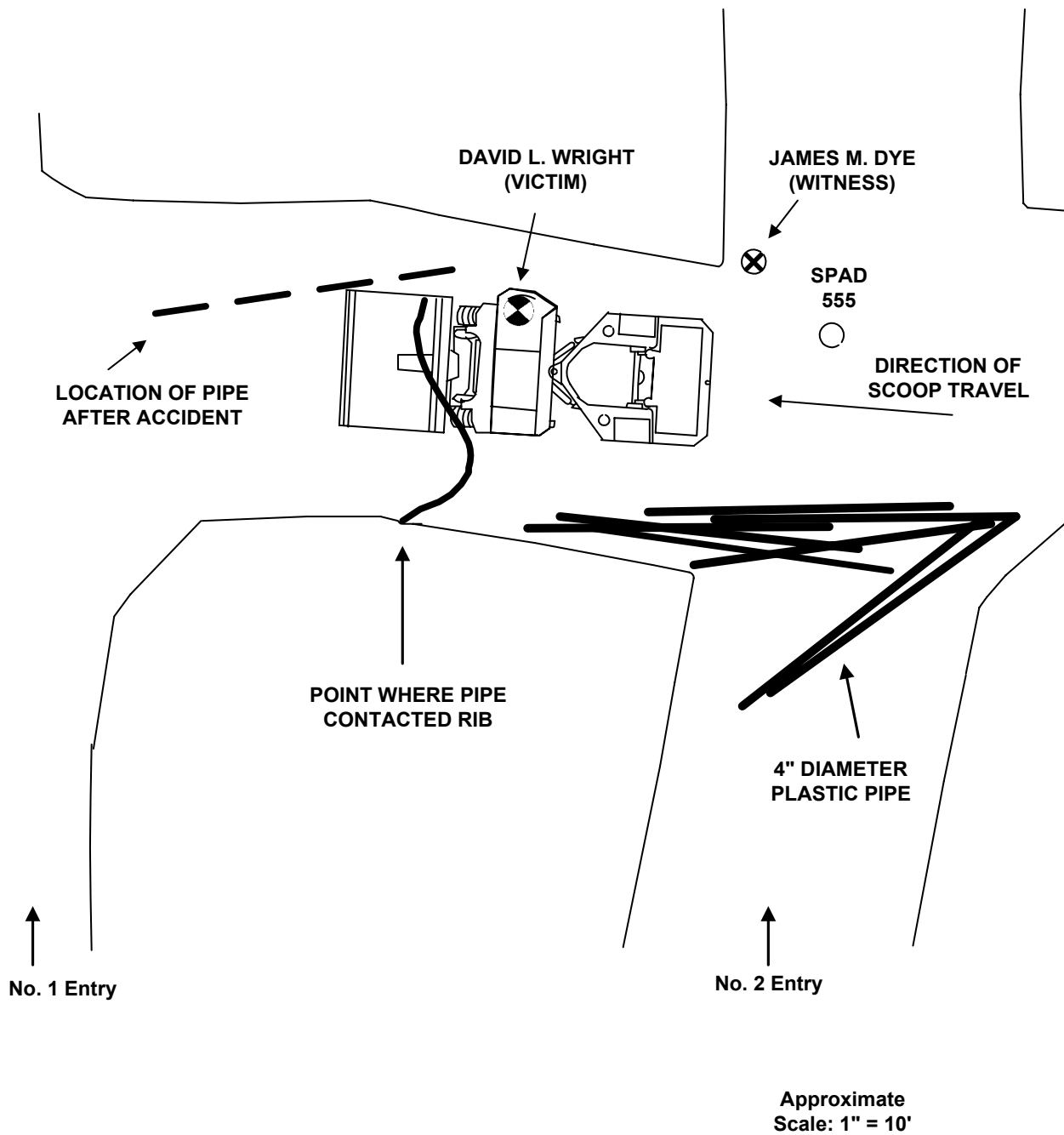
**James Brown
Coal Mine Safety and Health Inspector**

**Originating Office
Mine Safety and Health Administration
District 6
100 Fae Ramsey Lane
Pikeville, Kentucky 41501
Franklin M. Strunk, District Manager**

Release Date: March 25, 2003

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FATAL HAULAGE ACCIDENT
AEP KENTUCKY COAL, LLC
MINE NO. 10
15-07763
DORTON, PIKE COUNTY, KENTUCKY
JANUARY 30, 2003

OVERVIEW

On January 30, 2003, at approximately 9:45 p.m., David Lee Wright was fatally injured when he was struck by a section of 4-inch plastic water pipe while operating a scoop on the active section. According to the only eyewitness, the victim had removed the stopping between the No. 2 and No. 3 entries just outby Spad 555, and was transporting concrete blocks and roadway material between the two entries. The scoop bucket contacted a 4-inch diameter plastic water pipe, which became caught on the coal rib and was bent by the force of the scoop's motion. The pipe slipped out of the scoop bucket and bounced into the operator's deck of the scoop. The end of the pipe, which was equipped with a metal coupling, struck the victim on the right side of the head. The accident occurred primarily because extraneous materials were not removed prior to allowing persons to work in that area.

GENERAL INFORMATION

AEP Kentucky Coal, L.L.C., Mine #10, ID 15-07763, is located 1.6 miles up Rob Fork of Caney Creek off U.S. 23, Dorton, Pike County, Kentucky. The company is a wholly owned subsidiary of AEP Coal, Inc., 1 Riverside Plaza, Columbus, Ohio 43215.

David Zatezalo is the Director of Mine Operations for AEP Kentucky Coal, L.L.C. Lynn Partington is the General Manager of Underground Operation, Doug Mullins is the Superintendent of Underground Mines, Gary Isaac is the Mine Foreman, and Roger Cantrell is the Safety and Health Supervisor.

The mine began production on January 17, 1996, in the Lower Elkhorn Seam. The mine currently has two (2) active sections designated as 003 and 004 MMU. Coal is produced on both sections using continuous mining machines, shuttle cars, battery powered scoops, and roof bolting machines. Coal is transported from each section to the surface using a series of belt conveyors.

A total of sixty-three (63) persons are employed at the mine, on two (2) production shifts and one (1) maintenance shift daily, five (5) days per week. Coal production at this mine is approximately one thousand (1,000) tons per day.

The last complete Safety and Health Inspection of the mine by the Mine Safety and Health Administration was October 1, 2002, through December 30, 2002. A Safety and Health Inspection of the mine had been started on January 9, 2003, and was ongoing at the time of the accident.

DESCRIPTION OF ACCIDENT

On January 30, 2003, at approximately 3:00 p.m., the section crew of the 004-0 MMU went underground to begin their shift. Fayette Mullins, mine foreman, instructed David Lee Wright, scoop operator, and James Michael Dye, beltman, concerning some additional duties to perform after their normal duties were finished. Mullins instructed Wright to help Dye move the water pipe located in the crosscut between No. 1 and No. 2 entries. Dye and Wright moved the battery charger and then went outside to get a load of timbers to take to the section, which was retreat mining. The men returned to the section, and Wright unloaded the timbers.

Wright returned to the scoop and proceeded to remove the stopping between the No. 2 and No. 3 entries just outby Spad 555. As Wright was transporting a load of concrete blocks and roadway material through the crosscut between the No. 1 and No. 2 entries, the scoop bucket contacted a 20-foot long, 4-inch diameter plastic water pipe. The pipe, which became caught on the coal rib and was bent by the force of the scoop's motion, slipped out of the scoop bucket and bounced into the operator's deck of the scoop. The end of the pipe, which was equipped with a metal coupling, struck the victim on the right side of the head.

Dye was stationed at the rear of scoop when the accident occurred. Dye saw the pipe in the bucket of the scoop bend and then saw Wright's cap light go out. Dye crawled up to Wright, turned the scoop off and started first aid. He then went to the section feeder and informed Elmer Pratt, shuttle car operator, to get Mullins. When Mullins arrived at the scene he helped administer first aid to Wright. Wright was placed on a stretcher and transported to the surface. He was transported by DHP Ambulance Service to Pikeville Methodist Hospital where he was pronounced by the coroner, Russell Roberts.

INVESTIGATION OF ACCIDENT

Roger Cantrell, Safety and Health Supervisor for AEP Kentucky Coal, L.L.C., called Franklin Strunk, District 6 Manager, at home and reported the accident at 11:10 p.m. on January 30, 2003. James Hager, field office supervisor and Bennett Hylton, accident investigator, were immediately dispatched to the mine and arrived at approximately 1:30 a.m. Also at the mine site were personnel from the Kentucky Department of Mines and Minerals (KDMM). AEP management personnel also responded to the scene to assist with the investigation.

A joint investigation was started by MSHA and KDMM to determine the root cause of the accident and to prevent a similar occurrence in the future. A 103-k order was issued to protect the safety of all persons until an investigation could be made to determine the extent of the hazard contributing to the accident. The investigation team examined the scene, took measurements and photographs and informally interviewed employees

who were in the mine at the time of the accident. The scoop involved in the accident was examined and a series of operational checks were conducted to verify that it was operating properly. No defects were observed during the tests at the mine site.

Formal interviews were conducted on February 1, 2003 at the District office of KDMM, during which four miners were interviewed. The interviews were tape-recorded and later transcribed. The onsite portion of the accident investigation was completed on February 6, 2003, and the 103-k order was terminated.

DISCUSSION

1. James Michael Dye was the only eyewitness to the accident.
2. The accident occurred in the crosscut between No. 1 and No. 2 Entries at Survey Station 555.
3. The mine floor in the immediate area of the accident was dry and smooth with no uneven areas.
4. The height (mine floor to roof) in the immediate area was 36-38 inches.
5. Extraneous materials, including several 20-foot long sections of 4 inch water pipe, were present in the area where the accident occurred.
6. The distance from the top of the scoop to the mine roof was eleven (11) inches.
7. The scoop deenergization device (panic bar) had been engaged.
8. An examination of the scoop involved in the accident revealed no operational defects.
9. The scoop measured 9 feet 5 inches in width at its widest point, and the scoop bucket measured 8 feet 6 inches wide.
10. The plastic water pipe that struck the victim was 4 inches in diameter, 20 feet in length, and had a metal coupling on the end.
11. The NFDL rate at this mine was 0.0 as compared to a national rate of 7.32.

ROOT CAUSE ANALYSIS

A root cause analysis was conducted and the following causal factors were identified:

Causal Factor: Extraneous, hazardous materials were not removed from roadways, haulageways, travelways, or other areas of the mine where rubber-tired equipment was to be operated.

Corrective Action: Whenever hazardous or extraneous materials are observed in the work area, they should be removed prior to commencing or continuing work.

Causal Factor: A piece of 4-inch diameter plastic water pipe became caught between the bucket of the scoop and the coal rib and was bent by the force of the scoop's motion. The pipe slipped out of the scoop bucket and bounced into the operator's deck of the scoop.

Corrective Action: Whenever hazardous or extraneous materials are observed in the work area, they should be removed prior to commencing or continuing work.

CONCLUSION

The cause of the accident was failure to remove hazardous, extraneous materials from roadways, haulageways, travelways or other areas of the mine where rubber tired equipment was to be operated. The plastic water pipe and couplings extended into the travelway where a scoop was being operated.

ENFORCEMENT ACTION

A 103-K Order, No. 7394659, was issued on January 30, 2003, to protect the safety of all persons until an investigation could be made to determine the extent of the hazards contributing to the accident.

A 314-B Safeguard, No. 7394675, was issued on March 25, 2003, for failure to remove hazardous or extraneous materials from travelways and haulageways where rubber tired equipment is to be operated.

APPROVED BY:

Franklin M. Strunk
District Manager

PERSONS PARTICIPATING IN THE INVESTIGATION

AEP Kentucky Coal L.L.C.

Roger Cantrell	Safety and Health Supervisor
Mark E. Heath	Attorney-at-Law
Gary Isaac	Mine Foreman
William May	Human Resources Supervisor
Doug Mullins	Superintendent of Underground Mines
Lynn Partington	General Manager of Underground Operations
David Zatezalo	Director of Mining Operations

County Official

Russell Roberts	Pike County Coroner
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Kentucky Department of Mines and Minerals

Randy Bentley	Inspector
Brad Fuller	Electrical Inspector
Randall Little	Inspector
Tracy Stumbo	Chief Accident Investigator

Mine Safety and Health Administration

James Brown	Coal Mine Safety & Health Inspector
Debbie Combs	Educational Field Services
Benny Freeman	Acting Assistant District Manager
James Hager	Supervisory Coal Mine Safety & Health Inspector
Bennett Hylton	Coal Mine Safety & Health Inspector
Frankie Mullins	Educational Field Services
Garrett Robinson	Mining Engineer
James Sammons	Coal Mine Safety & Health Inspector
Franklin M. Strunk	District Manager

LIST OF PERSONS INTERVIEWED

AEP Kentucky Coal, L.L.C.

Roy Dean Coleman	Roof Bolter/Timberman
Craig Damron	Roof Bolter Operator
James Michael Dye	Beltman
Fayette Mullins	Section Foreman



**Photograph of Accident Scene Showing Operator's Compartment of Scoop
and Plastic Pipe**

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